

FORM PTO-1390 (REV 02-2005)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET #: 4061-28PUS
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/541604
INTERNATIONAL APPLICATION NO. PCT/EP2004/000299		INTERNATIONAL FILING DATE January 16, 2004		PRIORITY DATE CLAIMED January 17, 2003
TITLE OF INVENTION <div style="text-align: center;">Process and Intermediates for the Preparation of Olanzapine</div>				
APPLICANT(S) FOR DO/EO/US <div style="text-align: center;">Roman LENARSIC; Rok ZUPET; Milena BENEDIK; Barbara MOHAR; Anton STIMAC</div>				
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11. to 20. Below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 37 CFR 1.821-1.825 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: (<i>specify</i>): Int'l Preliminary Report on Patentability, Int'l Search Report, Written Opinion, Communication Form PCT/IB/345 				

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/541604		INTERNATIONAL APPLICATION NO. PCT/EP2004/000299		ATTORNEY'S DOCKET NUMBER 4061-28PUS	
The following fees are submitted:					
21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a)(1)-(5))				\$300	\$ 300
<input checked="" type="checkbox"/> Examination Fee					
If International preliminary examination report is prepared by USPTO and all claims satisfy the provisions of PCT article 33(1)-(4)				\$100	\$ 200
All other situations				\$200	
22. <input checked="" type="checkbox"/> Search Fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the International application to the USPTO as an International Searching Authority				\$100	\$ 500
International Search Report prepared and provided to the Office				\$400	
All other situations				\$500	
ENTER APPROPRIATE BASIC FEE AMOUNT (total of 21, 22 and 23) =					\$ 1000
[] Application Fee for specification and drawing filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (round up to a whole number)		RATE	
-100 =	/50 =			x \$250	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).					\$
Claims		Number Filed	Number Extra	RATE	
Total Claims		11 - 20 =		x \$ 50.00	
Independent Claims		2 - 3 =	0	x \$200.00	
Multiple dependent claim(s) (if applicable)				+ \$360.00	
TOTAL OF ABOVE CALCULATIONS =					\$ 1000
[] Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$
SUBTOTAL =					\$ 1000
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					\$
TOTAL NATIONAL FEE =					\$ 1000
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					\$ 40
TOTAL FEES ENCLOSED					\$1040
Amount to be refunded:					\$
Amount to be charged:					\$
a. <input checked="" type="checkbox"/> A check in the amount of \$1040 to cover the above fees is enclosed.					
b. [] Please charge my Deposit Account No. <u>03-2412</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-2412</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: <u>Kent H. Cheng</u> Cohen, Pontani, Lieberman & Pavane 551 Fifth Avenue, Suite 1210 New York, New York 10176			<u>Kent H. Cheng</u> Registration Number: <u>33,849</u> July 7, 2005 Tel: (212) 687-2770		

Attorney Docket # 4061-28PUS

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10/541604

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Phase PCT Application of

Roman LENARSIC et al.

Int'l PCT Appln. No.: PCT/EP2004/000299

Int'l Filing Date: January 16, 2004

For: Process and Intermediates for the
Preparation of Olanzapine

Check box if applicable:

☐ DUPLICATE

**GENERAL AUTHORIZATION FOR PAYMENT OF FEES
AND PETITIONS FOR EXTENSIONS OF TIME**

Submit an original and a duplicate for fee processing

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 03-2412

- ☒ Any filing fees required under 37 CFR §1.16.
- ☒ Any patent application processing fees under 37 CFR §1.17 not otherwise paid by check.
- ☒ The issue fee set in 37 CFR 1.18 at 3 months from mailing of the Notice of Allowance, pursuant to 37 CFR 1.311 (b) provided the fee has not already been paid by check.
- ☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By Kent H Cheng
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Dated: July 7, 2005